

United States District Court
Middle District of North Carolina



Complaint
Case Number: 1:23CV335

Pamela Grizzel V. North Carolina etal.

Plaintiff:

Pamela Grizzel
154 Anderson Road
Siloam, NC 27047

Jurisdiction is proper in this court due to 42 U.S.C § 1983 , 42 U.S.C § 1985, and Bivens Action.

Defendants:

**Surry County Sheriff's office
218 N Main Street
Dobson, NC 27017
Deputy Druar
Deputy Garcia
Deputy Marshall
Lt. Richardson**

**Surry County District Attorney's office
201 E Kapp Street
Dobson, NC 27017**

**Abby Bishop, ADA
Joshua Simmons, ADA
Tasha Gordon, VSC
Dianna Cox, VSC
Ricky Bowman/ Tim Watson**

**Surry County Department of Social Services
118 Hamby Road
Dobson, NC 27017**

**Surry County Jail
218 N Main Street
Dobson, NC 27017**

**Judge Marion Boone
201 E Kapp Street
Dobson, NC 27017**

**Karen Adams (Attorney)
332 N Main Street
Dobson, NC 27017**

**Surry County Communications
139 Dobson Church of Christ Road
Dobson, NC 27017**

**Federal Bureau of Investigation
1801 Stanley Road
Greensboro, NC 27407**

**North Carolina Department of Public Safety
4201 Mailing Service Center
Raleigh, NC 27699-4201**

**State Bureau of Investigation
3320 Garner Rd. R
Raleigh, NC 27610**

Claim:

I am claiming I was injured by Ryan Belton in a strangulation attempt and the other parties listed, under the color of the law, conspired to complete the injury and deprive me of rights and did in fact further injure me, while putting my daughter in serious danger , and deprive me of rights.

Cause of Action:

18 U.S.Code § 241

18 U.S.Code § 242

18 U.S.Code § 245

18 U.S.Code § 250

Amendment I, IV,V, VI, VIII, XIV

Obstruction of Justice

Witness Tampering

Victim Intimidation

Police Misconduct

Sexual Misconduct

Wrongful arrest

Malicious Prosecution

Negligence

Bivens Action

Domestic Violence Protective Order(50B)

Surry County Sheriff's office
218 N Main Street
Dobson, NC 27017

They were just Negligent and failed to properly investigate or file a proper police report. It is not my job to take probable cause and issue charges. If I would not have called the cops that night I truly wonder where I would be in life. They also told me being inappropriately touched by an officer was fine and never showed up for court.

Deputy Marshall

Made smart comments several times while under the protection of a Judge issued 50B and when I filed a report on officer Druar for his actions tried to tell me what to say and the fact that Garcia touched me in a private area while handcuffed was not an issue. I was told if I did not want to be sexually assaulted I should not get arrested.

Deputy Druar

Forcefully and wrongfully arrested me. Was very Rude and threatened my life after the incident was reported. My phone was jerked out of my hand because I did not call 911 and I was thrown in a cop car in icy weather with no shoes after being jerked around. I had injuries from this, and I was charged with resisting arrest the next morning and I did not purposefully resist. I was made to sign a medical refusal because I was told I was getting out on pretrial. This deputy called and threatened my life after I reported it.

Deputy Garcia

Forcefully and wrongfully arrested me, admitted it to the magistrate and refused to give it up. She stuck her hand down my panties and then sat there biting her nails when I asked her about it and admitted to it like it was fine. She asked me what I took and continued to say I was interfering with their investigation and I had no clue what she was talking about.

Lt. Richardson

Did nothing after several times of me reporting the officer's misconduct. He also stated he did not see an issue with it.

Steven Hiatt

Is in charge but does nothing about negligence or officer misconduct.

Surry County District Attorney's office

201 E Kapp Street

Dobson, NC 27017

Abby Bishop, ADA

Has been involved in the case(s) in question from the start December 2019. Has failed to reinstate charges on Ryan Belton that were mentioned after multiple other charges associated with Ryan Belton related to this particular case. Also had involvement in the sexual assault that happened while detained by Officers from The Surry County Sheriffs Office. The orders she signed lied to them and when I reported this and asked to reinstate the charges she said the officer and I issued charges on the same day or again it was some fault of mine. It always turned on me. I wanted this relationship to be over. Whatever happened before my daughter didn't matter and they continuously blamed me and made me think I had no choice because I did not. I had a protective order and a dismissal with leave 'agreement' that I did.

Joshua Simmons, ADA

I have had no direct issues with him.

Tasha Gordon, VSC

She was rude and lied about what the law was and had no regard for anyone, including my child's safety . She twisted my words and I never went in front of a judge for the violations of the 50B and I mentioned the dismissal with leave to her and it was ignored.

Dianna Cox, VSC

She was dismissive and told me the strangulation was being dropped because I issued the charges and laughed when I asked what she needed for the victims impact statement because at that time I did not understand. This was communicated with the other women listed. I said I did not want to sign that order, I was not exactly sure at the time what I was signing but

Ricky Bowman/ Tim Watson

I have not had direct contact with the DA. Ricky Bowman died and Tim Watson replaced him, again these charges could have been reinstated. I don't know what the issue is, except the cover up that I was injured from the start and in a very dangerous situation , it was obvious, I was injured that is why 'intimidation' and force was used.

Surry County Department of Social Services/CPS

118 Hamby Road

Dobson, NC 27017

There were multiple orders and violations in the court, my child was removed and I passed a drug screen, I was threatened with serious violence, SWAT, over nothing because of Dustin Watson's past. I am sorry but whether someone is on probation or not you are not bringing an army to my house. They told me I was to have no traffic, I was being watched and when she came back I could not get child care because at the time, I was not working. It is not anyone's business what I do and maybe whoever called DSS on me should be checked because I do not know why that would be assumed. I was told I was being watched and I could not see Dustin, I better not have traffic, and I had to renew the protective order. I do not believe my daughter failed a drug test if I am honest, I was told the levels were lethal but nothing was done to my knowledge in her presence and I was sober at this time, If she failed Ryan Belton, her 'Father' put it in her hair but I do not think she failed. I was not asking for help so I could do drugs, and I let this affect me way more than I should've but I was a very good mom before this, I still am. I just slipped and it was a blow to who I was and my intuition. This guilt will not go away, because after this people held everything over my head and it was wrong. My life being threatened didn't affect me the way this did. You cannot use drugs inappropriately and have kids but I was not, she does not need to be around the lifestyle addicts have, I thought I made that clear when I issued charges. This was entirely too far. It was a legal kidnapping.

Surry County Jail

218 N Main Street

Dobson, NC 27017

I was locked in an attorney visits room with no phone call and refused medical care after I had a seizure and I was made to sign a medical refusal when I was wrongfully arrested because my understanding was I was going to be released. I had to beg to go to the bathroom and they did not clean ANYTHING and cussed me. The windows were blacked out in an "isolation" room.

Karen Adams (Attorney)

332 N Main Street

Dobson, NC 27017

This is Ryan Belton's attorney. She used victim intimidation or force and that is all. She said something and that is how it went. Charges for breaking and entering were expunged under the new law and I feel like that is because that would make it a hate crime as if the threat of it happening again was not enough, which she stated when I signed the dismissal with leave along with many other things.

Surry County Communications

139 Dobson Church of Christ Road

Dobson, NC 27017

Amanda —last name unknown

She heard my 911 call and just ignored it all and had me arrested because of misuse of 911 which I stopped using and started using 3363743000. I had a protective order and fainted or had seizures, it should not have been assumed I was calling for no reason.

Federal Bureau of Investigation

1801 Stanley Road

Greensboro, NC 27407

They have not intervened at all and it has been reported several times. My life is now threatened by an officer and they do nothing. I understand an attorney is useful but from my experience they have not been and this was a criminal offense. There are many conflicts of interest.

North Carolina Department of Public Safety

4201 Mailing Service Center

Raleigh, NC 27699-4201

I feel like, again, there should've been some intervention. I do not feel safe. I have a 50B in place therefore I am under someone's protection and all offenses would've been under the color of the law because they had the authority to make sure these orders were properly enforced and did not.

Ryan Belton

Location Unknown

Strangled me, Beat me in the head, Raped me, broke in my house, destroyed my car and terrorized me, under a protective order. He has nothing to do with our (my) daughter and refuses to help but wants to continue to control me, he ruined my life. I was hospitalized after this assault with a lung injury.

Dustin Watson (Witness)

Federal Prison

FCI- GILMER

I do not know if he wants anything to do with me but he is the only one who was there, besides my daughter when anything happened and that was not fair. It sent me off the deep end as well, I do not know if he is ready or wants another chance but I feel that was not fair. I have not spoken to him since he was arrested. We ended badly, and what he does with it is not my business but that is unfair. That was serious violence threatened because his past , that never caused me issued until this incident that was mentioned above with CPS.

King Police Department/ Stokes County Sheriff's Office

110 W King St, King, NC 27021

A . Chase Sawyers

I was pulled because I supposedly had a tag-light out and I was searched and arrested for a DWI because I was honest about my medication. I was also told someone called in reporting a reckless driver, I had a relationship with an officer Jacob Tuttle who did work there. This turned into me constantly being pulled. I ended up in jail after telling Marion Boone I needed to go to the hospital because I felt weird, I had a seizure and a pretty serious concussion. I do not feel there was a reason to search me. He threatened my child who was not with me because of this charge.

Judge Marion Boone

201 E Kapp St, Dobson, NC 27017

She has not let me speak and would not hear the case, I was charged before the drug test for the DWI was even back. There is no proof I was actually 'impaired'. I appealed the case and was sent back to Stokes county to serve more time because after the head injury in jail, I could not complete the community service, after I told her I needed to go to the hospital. I was told later after the arrest for the misuse of 911 that if I called 911 again I would not get out of jail, my car was towed and sold at this point in this court. I truly feel she wanted me dead. She also is in charge of pretrial release and other things in the jail. She is so rude, which is not illegal but when I am apparently it is. I would believe she was how the other charges involved with the sexual assault got issued and why I was told to sign a medical refusal.

Lauren Mchphail**319 S Main St #100, Mt Airy, NC 27030**

She is my attorney but also came into my case late, she has tried but has not been able to do anything. I got smart with the DA's office and she could not stop me, I assume that has a lot to do with it.

State Bureau of Investigation**3320 Garner Rd, Raleigh, NC 2761**

I was forcefully arrested by my wrist being bent back and jerked out of the car in front of my daughter for not pulling over when the lights came on because it was not safe, I assume they are the ones who have to expunge charges, and after a year of the charges being issued on Ryan Belton they were expunged under the 'New law' which is not the law, it was a violent offense. When the police misconduct was reported, I was told a manager had to report it and nothing was done. A man in a T-shirt was arrested and along with Pilot Mountain Police Department photographed my daughter crying, reaching for me and threatening me with DSS yet again. I came out of the cop car because the child safety lock was off and was placed back in the car and that is when I missed court and went to jail.

Department Homeland Security**6130 Tyvola Centre Dr, Charlotte, NC 28217**

They were present during the arrest mentioned above, the guy with the Homeland Security Vest on looked at me and said me not liking cops is my problem, I shouldn't have cussed him, and I was told video evidence has been removed or altered, I also had issues with my medical records after this altercation and my time in jail, These are the only people who would have that power, after I was threatened by deputy Druar, my phone blew up randomly, and Garcia knew what I said on the 911 calls, and I do not see Amanda from communications reporting any of this. I think this may be why and how I was arrested for the DWI because it is a little excessive. I feel like they hate women and want only violence and I do not have weapons or the man power they have. Why they were present for dead tags , I have not the slightest Idea. I think they have snitches who get out of serious crimes to catch people on probation. The dates were changed and charges were dropped to a lower offense in the Ryan Belton case and he got charges changed and removed, somehow. He always got out of jail for the 50V violations and people told me they did not get him out.

Injury :

Post Traumatic Epilepsy, Severe PTSD, Auditory Processing Disorder is Suspected, Post Concussion Syndrome, Migraines, Daily Chronic Headache, Rape, and I have lost everything at least once. My daughter was also involved and should not have been. The future and recovery of my illness is unclear at this point, PTSD is making everything worse. That can be to an extent fixed. That was a lot of trauma at one time. I worry about my daughter and the future as well because she shouldn't have been involved in any of this and it is not my fault she was.

Relief Requested:

I am requesting \$(25,000,000.00) in damages as well as Justice. That includes the injuries or triggered injuries , the time I spent in jail, the injuries from jail, embarrassment, ruining my reputation, job loss inability to work, both cars I lost, I lost my support system, and was sexually assaulted by officer, I want Dustin Watson to be give another chance, because violence was threatened by SWAT and that is not fair. This is an ongoing issue and it keeps getting worse, I have seizures and can't call 911. I can't help I feel like I'm going to die when the aura hits. If my body tells me something I listen. I expect default judgment if I do not get a response and I am not arguing my injury; this is about what the parties mentioned did. I almost died, I did not ask to relive it over and over. There is an order that is being refused to be enforced or charges refusing to be reinstated and there is no reason for it , this is a hate crime. I want my business private and I want my life back. I want these charges against me dropped and I would like a motion for discovery in all cases ASAP. This has been done on half of it, my lawyer has body cam footage. I've reported stuff that could have been prevented, and it made things worse. Instead of justice, I am being blamed and that is not what we are talking about. I have been rude to the DA's office and officers and communications, I am not acting under the color of the law and it's not illegal to be angry and tell someone how you feel. That is not usually how I am, it has been over 3 years. I have nothing left. I expect if an answer is not Given in 30 days I will be given a default judgment and the state has already had the opportunity to answer, so I do not expect they get an additional 30 days. The motion was made without discovery, that was their negligence. Again we are not arguing injuries. I had a seizure in Surry County Jail. No one can predict the future and it would be dangerous to do so. If anything, what they have as proof of some criminal offense is proof of my injury. I wasn't willfully breaking the law.

F. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

Have you filed other lawsuits in state or federal court that deal with the same facts that are involved in this action? YES X NO

If your answer is "YES", describe each lawsuit. (If there is more than one lawsuit, describe additional lawsuits on additional separate pages, using the same outline.)

1. Parties to previous lawsuits:

Plaintiff(s): Pamela G Grizzel

Defendants(s): North Carolina

2. Name of court and case or docket number:

NC Industrial Commission TA-30532

3. Disposition (for example, was the case dismissed? Was it appealed? Is it still pending?)

It was Dismissed because it was the wrong court.

4. Issues raised:

Same as mentioned in this case.

5. When did you file the lawsuit? 11/01/22

Date: Month/Year

6. When was it (will it be) decided? Jan. 31st 2023

Have you previously sought informal or form relief from the appropriate administrative officials regarding the acts complained of in Part D? YES X NO

If your answer is "YES" briefly describe how relief was sought and the results. If your answer is "NO" explain why administrative relief was not sought.

I've requested Victims Comp and it was denied and I've asked over and over for

I certify that my statements are true and this claim is being filed in good faith efforts.

No Jury Trial Requested.

Signature *Pamela G. Grizzel*

Date: 04/13/2023

Address: 154 Anderson Road

Siloam, NC 27047

Email: Pamela.Grizzel@yahoo.com

Phone: 3364292461

NORTH CAROLINA INDUSTRIAL COMMISSION

I.C. FILE NO. TA-30532, PAMELA G GRIZZEL, Plaintiff v. NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, Defendant.

ORDER by TIFFANY M. SMITH, Deputy Commissioner.

Filed: February 13, 2023

This claim came on for a pre-trial conference hearing before the undersigned on January 30, 2023 via Webex.

A P P E A R A N C E S

Plaintiff: Pamela Grizzell, *Pro Se*.
Email: pamela.grizzel@yahoo.com

Defendant: Joshua H. Stein, Attorney General of the State of North Carolina, Raleigh, North Carolina, Ashley Weathers, Assistant Attorney General, Counsel of Record.
Email: aweathers@ncdoj.gov

* * * * *

FINDINGS OF FACT

1. Plaintiff initiated this claim on October 31, 2022 by filing a Tort Claim Affidavit.
2. Plaintiff filed a claim against the North Carolina Department of Public Safety.

She did not name a state employee.

3. Plaintiff alleged that the injury or accident giving rise to this claim occurred at Surry County Courthouse, Surry County Sheriff's Office, and the Surry County Department of Social Services.

4. Plaintiff alleged that the injury or property damage occurred in the following manner:

I was strangled by my ex Ryan Belton. I was assaulted again after I was released from the hospital because the cops told me to get a 50B. I was raped, ran off the road, and my home was broken into

been arrested for calling 911. It went to court. I was made to sign a dismissal with leave, conditions being I was not contacted. I got a 50B anyway, it did no good. Victim tampering and intimidation were used the whole time, Ryan never had to show up to court. DSS removed my child after I passed a drug screen, I was told that I was being watched and I couldn't see the guy I was with, they refused me childcare and work first. I went to jail had a seizure and was not treated.

5. Plaintiff requested damages for her home and car. She also stated that she suffered severe PTSD, post concussive syndrome/post traumatic epilepsy, substance abuse, rape, no sleep, fear, job loss, child endangerment, time she will never get back, pain and suffering and loss of relationships. Plaintiff stated that she had been damaged in the amount of \$25,000,000.00.

6. Defendant filed a motion to dismiss Plaintiff's claim on December 1, 2022.

7. The undersigned docketed this claim for a pre-trial conference via Webex on January 30, 2023. The parties argued their positions during the pre-trial conference.

8. The undersigned finds that there is no colorable claim of negligence here by any state employee.

* * * * *

The foregoing Findings of Fact engender the following:

CONCLUSIONS OF LAW

1. To recover upon a claim for negligence under the Tort Claims Act, a plaintiff must prove that (1) defendant owed plaintiff a duty of care; (2) the actions or failure to act by the named Defendant's employee breached that duty; (3) the breach was the actual and proximate cause of the injury and (4) plaintiff suffered damages as a result. *Simmons v. N.C. Dept. of Transportation*, 128 N.C. App. 402, 406, 496 S.E.2d 790, 793 (1998). Under the Tort Claims Act, "negligence is determined by the same rules as those applicable to private parties." *Bolkhir v. N.C. State Univ.*, 321 N.C. 706, 709, 365 S.E.2d 898, 900 (1988).

2. “[J]urisdiction is vested in the Industrial Commission to hear claims against state departments, institutions and agencies for personal injuries or damages sustained by any person as a result of the negligence of a state officer, agent or employee acting within the scope of his employment.” *Frazier v. Murray*, 135 N.C. App. 43, 47, 519 S.E.2d 525, 528 (1999); *See* N.C. Gen. Stat. § 143-291. True, recovery, if any, must be based upon the actionable negligence of an employee of such agency while acting within the scope of his employment.” *Wirth v. Bracey*, 258 N.C. 505, 508, 128 S.E.2d 810, 813 (1963).

3. Moreover, dismissal under Rule 12(b)(6) is proper when one of the following three conditions is satisfied: (1) the complaint on its face reveals that no law supports the plaintiff’s claim; (2) the complaint on its face reveals the absence of facts sufficient to make a good claim; or (3) the complaint discloses some fact that necessarily defeats the plaintiff’s claim.” *Wood v. Guilford County*, 355 N.C. 161, 166, 558 S.E.2d 490, 494 (2002) (citation omitted).

4. The undersigned concludes that, here, the affidavit does not allege that Plaintiff was injured as a result of the negligence of a state officer, agent or employee acting within the scope of his/her employment. Furthermore, the Commission lacks jurisdiction over this matter.

5. Plaintiff’s claims should be dismissed pursuant to Rule 12(b)(1), (2), and (6).

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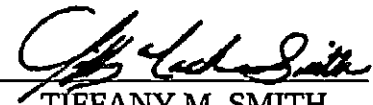
The foregoing Findings of Fact and Conclusions of Law engender the following:

ORDER

1. This claim is hereby **DISMISSED WITH PREJUDICE**.
2. No costs are taxed against the parties. No costs are assessed at this time.
3. This case is **REMOVED** from the active hearing docket.

This the 13th day of February, 2023.

8


TIFFANY M. SMITH
DEPUTY COMMISSIONER

NORTH CAROLINA INDUSTRIAL COMMISSION
P.O. BOX 34337, CHARLOTTE, NC 28234
TELEPHONE: (980) 523-9988

CERTIFICATE OF SERVICE
(Important)

THIS IS TO CERTIFY that on the date below a copy of the attached document was sent to the following parties and persons in the manner specified below. When sent by mail, the document was sent by certified mail, return receipt requested, to the specified address. When sent by email, the document was sent to the specified email address.

I.C. FILE NO. TA-30532, PAMELA G GRIZZEL, Plaintiff v. NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, Defendant.

Date: February 13, 2023

Attached document: Order granting Defendant's Motion to Dismiss with Prejudice

Code: 125

Plaintiff: Pamela Grizzell, *Pro Se*.
Email: pamela.grizzel@yahoo.com

Defendant: Joshua H. Stein, Attorney General of the State of North Carolina, Raleigh, North Carolina, Ashley Weathers, Assistant Attorney General, Counsel of Record.
Email: aweathers@ncdoj.gov

Certified by:



Crystal Snow, Administrative Specialist for Deputy Commissioner Tiffany M. Smith
North Carolina Industrial Commission, Charlotte Regional Office
Mailing address: P.O. Box 34337, Charlotte, NC 28234
Telephone: (980) 523-9988
Email: crystal.snow@ic.nc.gov

Disclaimer

**** I do not have the authority to subpoena anyone , I know what's being done is wrong and is affecting me, I do not know if there was snitching or it was just willing and done because of my 'Disability'. I do not know why you would willingly do that and I cite no authority because I am trying to prevent murder or serious injury from actually happening. You are not touching me in a private area, especially while handcuffed, I also have no authority in Dustin Watsons matter but that was not okay in any way. Please result to the constitution for legal authority.**